

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 2213

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Introduction and first reading
Referred to Local Government

OFFICIAL STATUS

1.1 A bill for an act
 1.2 relating to public transit in the metropolitan area; authorizing the Metropolitan
 1.3 Council to issue administrative citations for transit fare evasion and impose civil
 1.4 fines; amending Minnesota Statutes 2018, section 473.405, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 473.405, is amended by adding a subdivision
 1.7 to read:

1.8 Subd. 16. **Administrative citations for fare evasion.** (a) The council may issue
 1.9 administrative citations for unlawfully obtaining services under section 609.855, subdivision
 1.10 1, if the governing body of the council passes a resolution that authorizes peace officers
 1.11 employed by the Metropolitan Transit Police established under section 473.407 and other
 1.12 designated council personnel to issue administrative citations in lieu of a criminal citation.

1.13 (b) The authority to issue an administrative citation under this subdivision is reserved
 1.14 exclusively to licensed Metropolitan Transit Police peace officers and other designated
 1.15 personnel authorized by the council. Neither the council nor its Metropolitan Transit Police
 1.16 may order, mandate, require, or suggest to peace officers or other authorized personnel a
 1.17 quota for the issuance of administrative citations under this subdivision on a daily, weekly,
 1.18 quarterly, or yearly basis.

1.19 (c) An administrative citation must include notification that the person has the right to
 1.20 contest the citation and the consequences for failure to timely contest or pay the civil fine.

1.21 (d) The council must provide a civil process for a person to contest the administrative
 1.22 citation before a neutral third party. The council may employ a council employee not
 1.23 associated with its transit operations to hear and rule on challenges to administrative citations

2.1 or it may contract with another unit of government or a private entity or person to provide
2.2 the service.

2.3 (e) The council must establish policies and procedures for contesting an administrative
2.4 citation, including a reasonable time period within which to contest a citation or pay the
2.5 civil fine. The council may adopt policies and procedures under which failure to timely
2.6 contest or pay the civil fine may result in the person being charged with a misdemeanor
2.7 under section 609.855, subdivision 1.

2.8 (f) Except as provided in paragraphs (c) and (e), a person who is issued an administrative
2.9 citation under this subdivision is not guilty of a misdemeanor under section 609.855,
2.10 subdivision 1, but must pay a civil fine established by the council. The amount of a civil
2.11 fine shall not exceed the fine imposed for a petty misdemeanor. The council may adopt a
2.12 graduated fine structure for subsequent violations and a procedure under which a cited
2.13 person may, in lieu of paying a fine, resolve the citation by complying with other alternative
2.14 forms of resolution agreed to by the cited person and the council. Fines collected under this
2.15 subdivision must be used to cover the costs of the administrative citation program. If the
2.16 fines collected exceed the costs of the program, the balance must be used to support transit
2.17 services provided by the council under sections 473.371 to 473.449.

2.18 **Sec. 2. APPLICATION.**

2.19 Section 1 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott,
2.20 and Washington.